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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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Arizona Corporation Commission

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MARC SPITZER, Chairman  
WILLIAM A. MUNDELL  
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2004 AUG 11 P 1:13

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AZ CORP COMMISSION  
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DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
I-LINK COMMUNICATIONS, INC. FOR  
CANCELLATION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE  
COMPETITIVE RESOLD INTEREXCHANGE  
TELECOMMUNICATIONS SERVICES IN THE  
STATE OF ARIZONA.

DOCKET NO. T-03259A-04-0127

PROCEDURAL ORDER

**BY THE COMMISSION:**

On February 23, 2004, I-Link Communications, Inc. ("I-Link") filed a request to cancel its Certificate of Convenience and Necessity ("Certificate") to provide telecommunications services in Arizona ("Application"). By its Application, I-Link indicated that it currently has no Arizona customers and no longer intends to provide telecommunications services in Arizona.

On July 12, 2004, a Procedural Order was issued by which the Arizona Corporation Commission's ("Commission") Utilities Division Staff ("Staff") was ordered to either issue a data request to I-Link based on deficiencies in its application or file a Staff Report based on the application as filed, on or before August 9, 2004.

On July 13, 2004, Staff filed a Letter of Insufficiency and First Set of Data Requests to I-Link requesting clarification with regard to whether I-Link ever collected deposits and/or advance payments from its Arizona customers and requesting I-Link to indicate which of the services listed by Staff, namely facilities-based long distance, resold long distance, competitive local exchange, and resold local exchange, I-Link no longer intends to provide and for which it seeks cancellation of its authority to provide.

On July 19, 2004, I-Link filed its response to Staff's July 13, 2004 data request. Specifically,

1 I-Link indicated that it did not collect deposits and/or advance prepayments from its Arizona  
2 customers and that it seeks to cancel its facilities-based long distance, resold long distance,  
3 competitive local exchange, and resold local exchange telecommunications services in Arizona.

4 On July 29, 2004, Staff filed its Staff Report, which (1) recommends cancellation of I-Link's  
5 Certificate to provide resold long distance, facilities-based long distance, resold local exchange, and  
6 competitive local exchange services in Arizona as granted by the Commission pursuant to Decision  
7 Nos. 61168 (October 8, 1998) and 64708 (April 11, 2002); and (2) indicates that Arizona  
8 Administrative Code ("A.A.C.") R14-2-1107(A) is not applicable to I-Link's Application based on I-  
9 Link's indication that it currently has no Arizona customers.  
10

11 While Decision No. 61168 grants I-Link a Certificate to provide resold interexchange  
12 services, Decision No. 64708 is an Administrative Closure, and therefore it is unclear whether I-Link  
13 has a Certificate to provide facilities-based interexchange and resold and facilities based local  
14 exchange services.  
15

16 Moreover, Staff's rationale for exempting I-Link from the requirements of A.A.C. R14-2-  
17 1107(A) is insufficient based upon the plain language of the rule. Additionally, the Staff Report  
18 addresses neither the applicability of A.A.C. R14-2-1107(B) to the Application nor I-Link's  
19 compliance therewith.

20 Accordingly, the record in this matter is incomplete pending Staff's response to the above  
21 referenced issues.  
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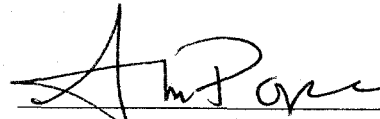
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1 IT IS THEREFORE ORDERED that Staff shall file a Supplemental Memorandum **on or**  
2 **before September 3, 2004**, which (1) clarifies the services for which I-Link is certificated; (2)  
3 clarifies the services for which I-Link seeks cancellation; and (3) sets forth the legal basis for its  
4 recommendation that the requirements set forth in A.A.C. R14-2-1107(A) and (B) are not applicable.  
5 To the extent that Staff determines that A.A.C. R14-2-1107(A) and (B) apply to I-Link, Staff shall  
6 indicate either the manner in which I-Link has satisfied the requirements of the rule or the basis for  
7 waiving any requirements that have not been satisfied.

8 DATED this 11<sup>th</sup> day of August, 2004.

10  
11 

12 AMANDA POPE  
13 ADMINISTRATIVE LAW JUDGE

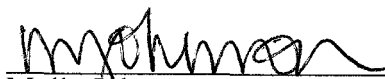
14 Copies of the foregoing mailed/delivered  
15 this 11 day of August, 2004 to:

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By:

  
Molly Johnson  
Secretary to Amanda Pope